

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name;

I believe I am one of the original, first and joint inventors (namely, James R. Braig, a United States citizen having a residence and mailing address at 280 Mountain Avenue, Piedmont, California 94611, and Philip C. Hartstein, a United States citizen having a residence and mailing address at 171 Bryant St. Apt. G, Palo Alto, California 94301) of the subject matter which is claimed and for which a patent is sought on the invention entitled SAMPLE ELEMENT WITH BARRIER MATERIAL; the specification of which was filed on April 15, 2004 as Application Serial No. 10/825,223.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional applications listed below.

Application No.: 60/463,131

Filing Date: April 15, 2003

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of second inventor: Philip C. Hartstein

Inventor's signature Philip C. Hartstein

Date 10-15-04

Michelle Laubach
Subscribing witness 10/15/04

Residence: 171 Bryant St. Apt. G, Palo Alto, California 94301

Citizenship: U.S.

Mailing Address: Same

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

SUBSCRIBING WITNESS JURAT

State of California

County of Alameda

} SS.

On Oct. 15, 2004, before me, the undersigned, a notary public for the state, personally

DATE

appeared Michelle Laubsch

SUBSCRIBING WITNESS'S NAME

me on the oath of

CREDIBLE WITNESS'S NAME

be the person whose name is subscribed to the within instrument, as a witness there to, who, being by me duly sworn, deposed and said that he/she was present and

saw Philip C. Hartstein the

NAME(S) OF PRINCIPAL(S)

same person(s) described in and whose name(s) is/are subscribed to the within and annexed instrument in his/her/their authorized capacity(ies) as (a) party(ies) thereto, execute the same, and that said affiant subscribed his/her name to the within instrument as a witness at the request of

Philip C. Hartstein

NAME(S) OF PRINCIPAL(S)

WITNESS my hand and official seal.

Jennifer Villavert Le

NOTARY'S SIGNATURE

OPTIONAL INFORMATION

The information below is optional. However, it may prove valuable and could prevent fraudulent attachment of this form to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

INDIVIDUAL
 CORPORATE OFFICER

TITLE(S)

PARTNER(S)
 ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIAN/CONSERVATOR
 SUBSCRIBING WITNESS
 OTHER: _____

ABSENT SIGNER (PRINCIPAL) IS REPRESENTING: NAME OF PERSON(S) OR ENTITY(IES)

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Declaration - USA Patent Applic.

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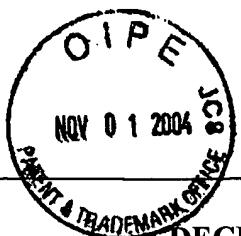
DATE OF DOCUMENT

Oct. 15, 2004

OTHER

RIGHT THUMBPRINT
OF
SIGNER

Top of thumbprint here

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Full name of first inventor: **James R. Braig**

Inventor's signature

Date 10-15-04

Residence: **280 Mountain Avenue, Piedmont, CA 94611**

Citizenship: **U.S.**

Mailing Address: **Same**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995

ALL-PURPOSE ACKNOWLEDGEMENT

State of California

County of Alameda

} ss.

On Oct. 15, 2004 (DATE) before me,

JENNIFER V. LE

(NOTARY)

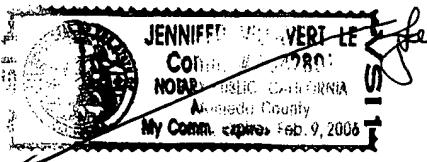
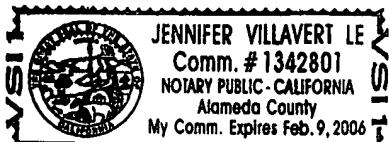
personally appeared JAMES BRAIG

SIGNER(S)

personally known to me

- OR -

proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Jennifer Villavert Le

NOTARY'S SIGNATURE

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